



Village of Lombard

Village Hall
255 East Wilson Ave.
Lombard, IL 60148
villageoflombard.org

Minutes

Plan Commission

Donald F. Ryan, Chairperson
Commissioners: Ronald Olbrysh, Martin Burke,
Ruth Sweetser, Andrea Cooper, Stephen Flint and
John Mrofcza
Staff Liaison: William Heniff

Monday, October 20, 2014

7:30 PM

Village Hall - Board Room

Call to Order

Chairperson Ryan called the meeting to order at 7:30 p.m.

Pledge of Allegiance

Chairperson Ryan led the Pledge of Allegiance.

Roll Call of Members

Present 7 - Donald F. Ryan, Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

Also present: Jennifer Ganser, Assistant Director of Community Development; Matt Panfil, AICP, Senior Planner, and Jason Guisinger, legal counsel to the Plan Commission.

Chairperson Ryan called the order of the agenda.

Ms. Ganser read the Rules of Procedures as written in the Plan Commission By-Laws.

Public Hearings

[140242](#)

PC 14-13: 1-378 Yorktown Center (Yorktown Mall) (Request to withdraw petition)

Requests approval of a major change to the approved Yorktown Center Planned Development, located within the B3 Community Shopping District. The petition seeks approval of an amended roadway configuration for the perimeter ring road and the Fairfield Avenue entrance. (DISTRICT #3)

A motion was made by Commissioner Flint, seconded by Commissioner Olbrysh, to withdraw this petition. The motion carried by the following vote:

Aye: 6 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

[140318](#)

PC 14-25: Text Amendments to the Zoning Code - Clear Line of Sight (Request to withdraw petition)

Requests an amendment to Section 155.207 (and any other relevant sections for clarity) of the Lombard Zoning Ordinance to establish and clarify that the clear line of sight area provisions are not applicable in the B5 Central Business Zoning District. (DISTRICTS #1 AND #4)

A motion was made by Commissioner Sweetser, seconded by Commissioner Burke, to withdraw this petition. The motion carried by the following vote:

Aye: 6 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

[140411](#)

PC 14-34: 2770 S. Highland Avenue - Conditional Use for a Drive-Through Establishment/Service (Request to withdraw petition)

Requests that the Village grant approval of a conditional use, pursuant to the Highlands of Lombard Annexation Agreement and subsequent amendments thereto, to allow for a drive-through establishment/service within the Highlands of Lombard B3PD Community Shopping Planned Development. (DISTRICT #3)

A motion was made by Commissioner Burke, seconded by Commissioner Sweetser, to withdraw this petition. The motion carried by the following vote:

Aye: 6 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

[140412](#)

PC 14-32: 510 E. 22nd Street; MMRE, LLC.

Requests that the Village grant approval of a conditional use, pursuant to Section 155.412 (C) of the Village of Lombard Zoning Ordinance, to allow for a medical cannabis dispensing organization within the O Office Zoning District. (DISTRICT #3)

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment.

Sworn in to present the petition was Jennifer Ganser, Assistant Director of Community Development, and the Petitioner Sean Daly, 510 E. 22nd Street, Lombard IL on behalf of MMRE LLC.

Mr. Daly began by stating that on January 1, 2014 the Compassionate Use of Medical Cannabis Pilot Program Act went into effect. This law permits the legal sale of medical cannabis to patients approved for use. The patients are those who are diagnosed with one of the forty (40) illnesses identified in the Act.

The Act allows for the licensure of twenty two (22) cultivation centers and up to sixty (60) dispensaries to be established in Illinois. In District 22, DuPage County, three (3) dispensary licenses will be approved. The Act allows a medical card holder to obtain a maximum of 2.5 ounces of medical cannabis every fourteen (14) days. The distribution of the medical cannabis can be in flower form, edibles, topical or tincture.

Patients of the facility are to follow the proper legal protocol to take part in a program the State of Illinois has identified as an appropriate medical treatment regimen. This facility and the products offered are for the treatment of qualified patients with a diagnosed medical condition. Only medical card holding patients who have applied to the State with a doctor's recommendation will be allowed into the facility.

Mr. Daly said they equate their use to a medical office or pharmacy with regard to patient profile and volume. Their proposed dispensary location is at 510 E. 22nd Street. The location is immediately north of the Yorktown Mall and readily accessible by multiple Pace bus routes. It is an existing office building with ample parking. There are existing trees that provide a buffer to the west along Fairfield Avenue and there is dense vegetation along the parking field providing significant screening to the north residential area. The subject property is a single story office building, approximately 2,500 square feet, and ADA accessible. There will be two (2) ADA parking spaces west of the front entrance.

The front vestibule will serve as a man trap. This system is where the front door locks before the entry to the actual dispensary opens. The man trap will be used to verify patient identification and confirm they are a qualified card holding patient. The man trap will allow the front desk receptionist to manage the flow of traffic so not more than one person is granted entry at a time. There are three (3) consultation kiosks. The actual dispensation of the medical cannabis takes place behind a bullet resistant glass panel. The medical cannabis is stored in a vault. There will be a TL 30 safe on site for cash. The underground parking structure will be used for deliveries, and they, along with the building owner, will have the only access to the underground parking.

The dispensary will be monitored constantly. There will be a minimum of two (2) employees at a time. The planned hours are Monday through Thursday from 9 am to 6 pm; Friday and Saturday from 9 am to 8 pm; and Sunday from 9 am to 3 pm. MMRE has

engaged Streamwise as their security consultant. MMRE will donate 5% of their net operating profits to charity.

Mona Blankshain, 450 E. 22nd Street stated she is not in agreement and thinks it will bring down the property values, as a building owner next door. She doesn't think it belongs in the office park.

Gina Knight, 450 E. 22nd Street said she is against the dispensary. She handles the leasing and management of the building next door. She is concerned about safety. She said the thought of bullet proof glass brings unwanted traffic. She is concerned with tenants not wanting to renew their lease.

William Potocek, 515 Rosebud Drive South said he agreed with the previous comments. There is a school bus that stops within two hundred (200) feet of the site.

Ann Lipira, 508 E. Fairfield Court said she is a registered nurse and is not opposed to medical cannabis. She is the representative for her homeowners association. Safety is a huge concern and she doesn't think this was the right location and the industrial park would be a better choice.

JR Michalowski, 506 S. Rosebud Drive said there are better suited areas for the dispensary. The hospital would be better suited. He said he used to live in Colorado and doesn't want the community to turn out the same way.

Terry Ross, 517 Rosebud Drive South in the Abbey Woods Townhomes said the kids get on or off the bus several times a day. He said he understands there are laws but this should be in an industrial area or near a hospital.

James Thompson said he is opposed to the site of the dispensary. He stated he is sympathetic to people who need treatment explaining his wife has glaucoma and that one day she may need treatment. He didn't think the dispensary is in the right location and that it would be better suited in the industrial park. He is also concerned about the safety of the community.

Calvin Walstra said he is concerned about the traffic the dispensary would bring. He said that corner is a very busy traffic corner. He asked if the Plan Commission would consider the traffic that would develop.

Chairperson Ryan asked if Mr. Daly would like to reply to the questions. Mr. Daly replied that he didn't think security would be an issue. He referenced the list of medical conditions and didn't think that these are people who would pose a threat. He said Colorado has seen a drop in crime and has had a benefit of tax revenue. All the patients must be finger printed. The location was chosen because of the zoning set forth by the Village of Lombard. He foresees their use very similar to the dentist office who previously occupied the office building.

Chairperson Ryan asked Mr. Daly about the security. Mr. Daly replied that the customers are local residents. It would be very difficult to break in. He said if someone tried to break in there would be a rapid response.

Richard Jackell said he takes this as joke. He said there is a link between marijuana and crime. He thinks it needs to put in a different location.

Joseph Scalarie said he understands the law but it is too close to their front door. He asked if the law allowed a dispensary close to residential. Mr. Daly said that State law doesn't speak to proximity to residential. It cannot be located in an area zoned residential.

Gina Knight disagreed with the petitioner and said the property values will go down. She said the police officers from the Village of Lombard will have more demands put on them.

Mrs. Thompson asked what happens when marijuana becomes legal such as in Colorado. Mr. Daley said they would need to reapply for a State license. He said there would be no change to his business. She asked what happens when a school needs to expand or a new school is built. Chairperson Ryan said that will be dealt with at that time.

A gentleman asked why the petitioner chose this location. Chairperson Ryan said the law states an office location is needed.

William Potocek asked about the safety about the person walking out of the dispensary with their products. Mr. Daly explained there will be security cameras and security personnel onsite. They will be able to escort patients to their car. He mentioned other businesses where people leave with valuables. He doesn't think this is a high crime area.

Terry Ross asked how you verify the patient is the cardholder. Mr. Daly said the card has their picture on it. It is a State issued ID card with their name and personal information. The front desk will ask for the medical ID card along with the driver's license.

Chairperson Ryan asked for the staff report.

Ms. Ganser, Assistant Director of Community Development, presented the staff report, which was submitted to the public record in its entirety. In addition, she presented two emails by Village residents received after the IDRC report was distributed. The emails have concerns that the proposed facility is too close to schools and residents. As the petitioner stated on January 1, 2014 the Compassionate Use of Medical Cannabis Pilot Program Act went into effect. It will allow up to sixty (60) dispensaries throughout the State with three (3) in DuPage County. The Act states that no units of local government, such as the Village of Lombard, may regulate registered medical cannabis organizations other as provided for in this Act and may not unreasonably prohibit the cultivation, dispensing, and use of medical cannabis authorized by the Act. Staff met with numerous interested parties and only one petitioner applied for a conditional use permit. The petitioner is requesting approval of a conditional use permit for a medical cannabis dispensary in the O - office zoning district. Staff sent the interdepartmental review memo to other departments and they did not have any comments or concerns. The Comprehensive Plan recommends office which does match the site's existing zoning. The subject property is consistent with the Comprehensive Plan. There are homes to the north of the property and a landscape screening to buffer the homes. This will need to be maintained. The property is also surrounded by other medical and office uses. Dispensaries may not be located within 1,000 feet of the property line of a pre-existing public or private preschool, elementary school, secondary school, day care center, day care home, group day care home, or part day child care facility. The Act does not establish buffer requirements for dispensaries relative to residential areas. The State Act prohibits dispensaries in areas zoned residential. In 2013, the Plan Commission and Village Board of Trustees heard a text amendment case regarding medical cannabis dispensaries which led to the passing of Ordinance 6896. There was earlier public comment asking why this isn't in an industrial area or somewhere else. Ordinance 6896 allows for this use as a conditional use in the O - office district. Staff felt this was the most appropriate zoning district for this use. Staff likened this use to

other medical and dental offices, many of which are located in the four buildings at the proposed site. Staff finds the proposed use meets the standards for a conditional use. The site is accessed by two points along Fairfield Avenue. The parking lot is shared between the employees and visitors of all four office buildings. Staff did receive correspondence regarding traffic and an additional light. After speaking with the petitioner, staff does not believe the anticipated trip generation and traffic patterns would change significantly that in it of itself would warrant a traffic light. Staff did meet with the Police Department and would like to submit into the public record an email from the Police Department that based on their meeting with the Community Development Department the Police Department does not feel the need or have plans in the future for increased or additional staff. As noted, the site will be monitored constantly by the Illinois State Police Department cameras.

Chairperson Ryan opened the meeting for comments among the Commissioners.

Commissioner Sweetser asked to clarify the issue of police presence and if the State Police would be onsite. Mr. Daly said the Illinois State Police will be monitoring the facility, but will not have a physical presence on site.

Commissioner Olbrysh asked if MMRE was a Colorado based firm. Mr. Daly said it is Illinois based. Streamwise was hired as a consultant and they are based in Colorado. MMRE and all its partners are Illinois residents. Commissioner Olbrysh asked if similar issues from Colorado may come up in Illinois such as safety and location. Mr. Daly said he talked with dispensary owners in Colorado and none had security issues. He mentioned an incident from Colorado where an individual tried to enter the dispensary and could not through the man trap door.

Commissioner Burke said the State did not regulate distance to residential and when Lombard reviewed the ordinance we did not either. Lombard restricted it to the office district. He said he is concerned about the distance of the office building to residential property and the bus stop when there is other office property in the Village at a greater distance from residents.

Commissioner Cooper said the location is an issue, being surrounded by residential on two sides. She referenced the previous discussions on this being like another medical use. She

stated that since this is a new use in Illinois the Plan Commission should be more cautious since the proposed use is approximately two hundred and fifty (250) feet from residents. She stated her personal experience says it is not sufficient.

Commissioner Flint said that Walgreens in is downtown Lombard, near residential, and the former Walgreens on South Main Street was in a residential area. He said he empathized with the residents. Chairperson Ryan said many other office uses are surrounded by residential areas. Chairman Ryan referenced the text amendment and how this use ties in with other medical uses.

Commissioner Olbrysh referenced a Chicago Sun-Times article on medical cannabis which stated there were over six thousand (6,000) people who applied for a medical cannabis ID card. The article said this could be a \$1 billion dollar industry. He asked the petitioner what the price of medical cannabis would be. Mr. Daly said that 6,000 patients isn't enough for a \$1 billion dollar industry. Mr. Daly said twenty percent (20%) of those patients have been accepted since many of the applications weren't complete. He said the price will depend on the cultivation centers. In Colorado it ranges from \$100 to \$400 an ounce.

Commissioner Sweetser said she was imagining the dispensary being open and when patients come in, due to their medical conditions, probably wouldn't be a danger to others. She said a danger could be from a patient leaving with cannabis, but that the petitioner said security escorts are available. She asked the petitioner to comment on that aspect. Mr. Daly said he believes there is a low instance of people being attacked or held up due to his conversations with Colorado dispensary owners. He said the inventory would be low since they would get inventory approximately every two days and that cash would be picked up daily.

Commissioner Olbrysh asked how Lombard was selected. Mr. Daly said he looked at maps to locate near highways, public transit, and population centers. He looked for a safe investment, low crime, and good demographics.

Commissioner Cooper asked why this was made a conditional use. Ms. Ganser said it was so a public hearing would take place and the cases can be heard on a case by case basis.

A motion was made by Commissioner Cooper, seconded by Commissioner Burke, to recommend to the Corporate Authorities denial of this petition. The

motion carried by the following vote:

Aye: 2 - Martin Burke, and Andrea Cooper

Nay: 4 - Ronald Olbrysh, Ruth Sweetser, John Mrofcza, and Stephen Flint

The motion failed since it did not obtain the required four votes.

A motion was made by Commissioner Olbrysh, seconded by Commissioner Flint, to recommend to the Corporate Authorities approval of this petition subject to the conditions.

- 1. That this relief is limited to the operation of a medical cannabis dispensary only and any physical site improvements or alterations require approval through the Village;**
- 2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;**
- 3. That the petitioner shall develop the site in accordance with plans submitted as part of this request;**
- 4. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the medical cannabis dispensary establishment is not established by said date, this relief shall be deemed null and void;**
- 5. That the applicant shall receive be in good standing at all times a valid State issued license for a registered medical cannabis dispensary, and be in compliance with all rules and regulations as established by the Compassionate Use of Medical Cannabis Pilot Program Act and Department of Finance and Professional Regulation administrative rules found at Title 68, Part 1290 of the Illinois Administrative Code;**
- 6. There shall be no exterior wall signs, outdoor displays, or attention getting devices on the premises, including temporary signs; and**
- 7. The petitioner shall be required to apply for and receive a building permit for any improvements to the interior of the space prior to starting the build-out of the tenant space.**

The motion carried by the following vote:

Aye: 4 - Ronald Olbrysh, Ruth Sweetser, John Mrofcza, and Stephen Flint

Nay: 2 - Martin Burke, and Andrea Cooper

[140413](#)

PC 14-31: 105 E. Roosevelt Road - Conditional Use for a Bank and Financial Institution (Payday Loan Store)

Requests that the Village grant approval of a conditional use, pursuant to Section 155.417(G)(2)(b) of the Village of Lombard Zoning Ordinance to allow for a bank and financial institution within the B4A Roosevelt Road Corridor Zoning District. (DISTRICT #6)

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment.

Sworn in to present the petition was Matt Panfil, AICP, Senior Planner and the Petitioner, Thomas Serrano of PLS Financial Solutions, 446 E. Roosevelt Road, Lombard, IL.

Chairperson Ryan read the Plan Commissions procedures and asked if anyone other than the petitioner intended to cross examine, and, hearing none, he proceeded with the petition.

Mr. Serrano began by stating that they are a current tenant in the Village of Lombard at 1446 E. Roosevelt Road. They have been a tenant at this location for over ten (10) years. They are petitioning to relocate their operation to 105 E. Roosevelt Road. They are looking to expand their financial services for their customers. The new location is currently a Foremost Liquors that is being downsized making room for additional retailers. The building is forty five thousand (45,000) square feet and the suite they are petitioning for is two thousand (2,000) square feet. There is plenty of parking on site. There will be no site improvements made to this location. The landlord is making physical improvements to the fascia and façade of the building including a new store front, painting and decor on the cornice, and sign ban elements. The landlord is putting approximately \$400,000 into the facility. With this expansion, PLS is looking to add insurance products as well as tax service at this location.

The current site operates with six to eight employees. As volume increases they would add to the employee size. They have an average of ten (10) to fifteen (15) customers on a daily basis. The weekends have a significant increase in traffic to approximately thirty (30) to forty (40) customers a day. The site has three entrances on the Roosevelt Road side with a cross access agreement with the property to the southwest. Mr. Serrano concluded that they seeking approval from the Plan Commission to move their tenancy to this new site within the Village of Lombard.

Chairperson Ryan asked for public comment, and, hearing none, he asked for the staff report.

Mr. Panfil presented the staff report, which was submitted to the public record in its entirety. He began by stating the petitioner already operates a Payday Loan Store within the Village at 446 E. Roosevelt Road. The existing location opened in 2005 when financial institutions did not require a conditional use permit. Per the Village of Lombard Zoning Ordinance, banks and financial institutions require a conditional use permit within the B4A Roosevelt Road Corridor District.

The petitioner is looking to relocate their existing operation and has indicated that should the new location at 105 E. Roosevelt Road be approved, the location at 446 E. Roosevelt Road will close.

Mr. Panfil said the Inter Departmental Review Committee had no issues or concerns regarding the project at this time.

In consideration that the B4A Roosevelt Road Corridor District is intended to provide uses compatible and complimentary with adjacent uses, staff finds that the project is complimentary to the surrounding land uses.

The proposed site location and use as a bank / financial institution is consistent with the Comprehensive Plan's recommendation of community commercial which includes services extending beyond daily living needs.

Except for minimum lot area, minimum lot width, and minimum open space, which are existing legal nonconformities, the subject property meets all lot, bulk, and setback standards for the B4A Roosevelt Road Corridor District.

Mr. Panfil concluded stating that staff has reviewed the response to standards for a conditional use included as part of the petition and concurs that the petition meets the standards set forth in the Zoning Ordinance.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

A motion was made by Commissioner Burke, seconded by Commissioner Olbrysh, to recommend to the Corporate Authorities approval of this petition subject to the conditions.

- 1. That this relief is limited to the operation of a bank / financial institution and any physical site improvement or alterations require approval through the Village;**
- 2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;**
- 3. That the petitioner shall develop the site in accordance with plans submitted as part of this request;**
- 4. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the bank and financial institution is not established by said date, this relief shall be deemed null and void; and**
- 5. The petitioner shall be required to apply for and receive a building permit for**

any improvements to the interior of the space prior to starting the build-out of the tenant space.

The motion carried by the following vote:

Aye: 6 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

[140414](#)

PC 14-30: 649 E. Roosevelt Road - Conditional Use for a Bank and Financial Institution (Springleaf Financial Services)

Requests that the Village grant approval of a conditional use, pursuant to Section 155.417(G)(2)(b) of the Village of Lombard Zoning Ordinance to allow for a bank and financial institution within the B4A Roosevelt Road Corridor Zoning District. (DISTRICT #6)

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment.

Sworn in to present the petition was Matt Panfil, AICP, Senior Planner and the Petitioner, Mark Edison of Springleaf Financial Services.

Chairperson Ryan read the Plan Commissions procedures and asked if anyone other than the petitioner intended to cross examine, and, hearing none, he proceeded with the petition.

Mr. Edison began by stating they are seeking a conditional use to allow for a bank and financial institution at 649 E. Roosevelt Road. Springleaf Financial Services participates in a midrange loan servicing. They offer loan opportunities in the \$40,000 and below range.

Chairperson Ryan asked for public comment, and, hearing none, he asked for the staff report.

Mr. Panfil presented the staff report, which was submitted to the public record in its entirety. He stated this petition is for a conditional use for a bank and financial institution in an existing retail center along the B4A Roosevelt Road Corridor District. Similar to PC 14-31, the bank and financial institution is going in a strip center with recent renovations.

Mr. Panfil said the Inter Departmental Review Committee had no issues or concerns regarding the project at this time.

Staff finds that the project is complimentary to the surrounding land uses in consideration of the B4A Roosevelt Road Corridor District.

The proposed site location and use as a bank and financial institution is consistent with the Comprehensive Plan's recommendation of

community commercial.

The subject property meets all lot, bulk, and setback standards for the B4A Roosevelt Road Corridor District.

The petitioner has not yet proposed any signage for the business. Any future signage applications will be reviewed by staff for their consistency with the Village's Sign Ordinance. If any future signage is determined to be non-compliant the petitioner will have the option to request a variation from the Plan Commission and Village Board of Trustees.

In conclusion Mr. Panfil stated staff finds that the proposed bank and financial institution is consistent with its surrounding context, the Village of Lombard Comprehensive Plan, and Zoning Ordinance.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

A motion was made by Commissioner Sweetser, seconded by Commissioner Flint, to recommend to the Corporate Authorities approval of this petition subject to the conditions.

- 1. That this relief is limited to the operation of a bank and financial institution and any physical site improvement or alterations require approval through the Village;**
- 2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;**
- 3. That the petitioner shall develop the site in accordance with plans submitted as part of this request;**
- 4. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the bank and financial institution is not established by said date, this relief shall be deemed null and void; and**
- 5. The petitioner shall be required to apply for and receive a building permit for any improvements to the interior of the space prior to starting the build-out of the tenant space.**

The motion carried by the following vote:

Aye: 6 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

[140415](#)

PC 14-35: 1125 E. St Charles Road, Lombard Motors Inc.

Requests that the Village grant approval of a conditional use, pursuant to Section 155.416 (C) of the Village of Lombard Zoning Ordinance, to allow for Motor Vehicle Sales within the B4 Corridor Commercial

Zoning District. (DISTRICT #5)

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment.

Sworn in to present the petition was Jennifer Ganser, Assistant Director of Community Development, and the Petitioner Farhan Karim, of Lombard Motor Inc., 2720 Whitehall Lane, Naperville, IL 60564.

Chairperson Ryan read the Commissions Procedures and asked if anyone other than the petitioner intends to cross examine, and, hearing none, he proceeded with the petition.

Mr. Karim began by stating that they are in the process of purchasing the property for the sale of motor vehicles. There will be no auto repairs done on site, it is strictly an auto gallery. The building is fairly large so most of the cars will be stored inside. There will be a small outdoor auto display at the back of the property. They have addressed all the concerns and recommendations from Private Engineering Services and the Fire Department. They are requesting approval for the proposed use of site.

Chairperson Ryan asked for public comment. Pat Eddins, 1136 E. Kenilworth, Lombard IL stated she lives behind the property. She asked the petitioner if they will be installing additional lighting for security. Mr. Karim responded that there are lights on the property but they haven't been maintained because the property has been vacant for approximately three years. He said they will be replacing all the light bulbs. Their indoor showroom will be providing lights for the cars so it won't disturb the neighbors. After inspecting the existing lights they could add more lights for security. Ms. Eddins asked if the lights will be at the same height as the existing lights. Mr. Karim explained this is not a typical car lot where there are a lot of high intensity lights to illuminate the cars. He reiterated this is an indoor car showroom. Ms. Eddins asked if the lights would stay on all night for security. Mr. Karim said they plan to install a security camera system. The cameras will have built in LED lights so they will not need any illumination on the parking lot. He explained the cameras illuminate and record even when it is dark. Ms. Eddins asked if there would be any loud speakers. Mr. Karim replied they don't intend to use them because they have an indoor showroom. They only have two or three employees so they don't need to find them through a loud speaker system. Ms. Eddins questioned if they anticipate having three to four customers per day, why are there twenty seven (27) parking spaces. Chairperson Ryan answered it would be addressed in the staff report. Ms. Eddins said she didn't think the use was compatible with the St. Charles Road Corridor. Ms. Eddins feels her property value will go down if it is anything like a used car lot. Mr. Karim replied

that next to the subject property there is a car wash where numerous cars come in and out every day. He also explained the Western Trail provides a buffer between the residences and the subject property and there is an auto repair across the street. He stated this business is in line with other businesses operating in the area. Ms. Eddins asked about the signage for the property. Mr. Karim replied the sign is on St. Charles Road. Ms. Eddins asked about the size of the signage. Mr. Karim said they intend to use the existing sign but replace the front to their business name.

Chairperson Ryan asked for public comment, and, hearing none, he asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The petitioner is requesting approval of a conditional use for sales of motor vehicles. No repair work will be done on site. The subject property is currently improved with single tenant, one story brick building and a parking lot. Access is from St. Charles Road.

Ms. Ganser said the Inter Departmental Review Committee had comments from two departments. The Fire Department asked for verification regarding the automatic sprinkler system. The petitioner has met this requirement with the Fire Department. Private Engineering Services (PES) has concerns due to the history of flooding on the parking lot. PES is aware the petitioner has performed maintenance on the storm inlet at the low area of the property. PES suggests that two (2) signs be added to the parking lot to give notice that flooding could occur on the parking lot. The petitioner could also re grade the parking lot to alleviate the flooding issues that have occurred in the past. The proposed use is compatible with the surrounding commercial uses. The site has other auto related uses such as an adjacent car wash and nearby auto repair businesses. Following up the public comments regarding lighting and parking, any new lighting that would be installed would require a permit. Staff has photometric guidelines to judge the brightness of the lights. In addition, there are more parking spaces than deemed necessary. It is an existing building with an existing parking lot. Staff requirements for the parking lot are twenty two parking spaces. The number of spaces is determined by the land use and the parking regulations in the zoning ordinance. The parking lot will need to be restriped and the accessible spaces added, per the Illinois Accessibility Code.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

Commissioner Burke asked if it would make sense for the petitioner to

process a photometric lighting study with the existing lights since it probably hasn't been done in years. Mr. Karim said in 2013 a permit was issued by the Village to replace all of the lighting and plumbing inside the building and is now up to code. Commissioner Burke said he was referencing the exterior lighting. Mr. Karim said they were not planning on adding exterior lighting. He said if they add more lights they would apply for a permit with the Village. Commissioner Burke said he was concerned with the lighting be up to code.

Commissioner Cooper said there is excess parking but there is also flooding. She asked the petitioner if they considered removing some of the hardscape and adding green space. Mr. Karim said they hired a sewer line inspection company and the report was submitted to the Engineering Department. It was approved as long as there is proper signage so no cars are left over night the in flooding area when there is heavy rain.

A motion was made by Commissioner Burke, seconded by Commissioner Olbrysh, to recommend to the Corporate Authorities approval of this petition subject to the conditions and added condition seven.

- 1. That this relief is limited to the operation of motor sales only and any physical site improvements or alterations require approval through the Village and that the petitioner shall be required to apply for and receive a building permit for any improvements to the interior of the space prior to starting the build-out of the tenant space;**
- 2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;**
- 3. The petitioner shall install two (2) signs per the comments from the PES Division in the parking lot locations shown on the site plan with notations from the PES Division. This condition may be eliminated if the petitioner makes the necessary grading and stormwater improvements to alleviate the flooding concern;**
- 4. The parking lot shall be configured so as to meet all Illinois Accessibility Code requirements;**
- 5. That the petitioner shall develop the site in accordance with plans and submitted as part of this request;**
- 6. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the motor vehicle sales establishment is not established by said date, this relief shall be deemed null and void; and**
- 7. That a limited photometric study be completed for the portion of the site that abuts the south property line.**

The motion carried by the following vote:

Aye: 6 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

Business Meeting

The business meeting convened at 9:17 p.m.

Approval of Minutes

On a motion by Commissioner Flint and seconded by Commissioner Sweetser, the minutes of the September 15, 2014 meeting were approved with Commissioner Olbrysh and Commissioner Mrofcza abstaining citing their absence at the meeting. The motion carried by the following vote:

Aye: 4 - Martin Burke, Ruth Sweetser, Andrea Cooper, and Stephen Flint

Abstain: 2 - Ronald Olbrysh, and John Mrofcza

Public Participation

There was no public participation.

DuPage County Hearings

There were no DuPage County hearings.

Chairperson's Report

The Chairperson deferred to the Assistant Director of Community Development.

Planner's Report

The Assistant Director of Community Development had no report.

Unfinished Business

There was no unfinished business.

New Business

There was no new business.

Subdivision Reports

There were no subdivision reports.

Site Plan Approvals

There were no site plan approvals.

Workshops

There were no workshops.

Adjournment

A motion was made by Commissioner Sweetser, seconded by Commissioner Flint, to adjourn the meeting at 9:19 p.m. The motion carried by the following vote:

Aye: 6 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

*Donald F. Ryan, Chairperson
Lombard Plan Commission*

*William J. Heniff, Secretary
Lombard Plan Commission*